S.B.Cr.Misc.IInd Bail Application No.856/2006
In
S.B. Criminal Apeal No.823/2005

Date Of Order ::: 22.11.2006.

Hon'ble Mr. Narendra Kumar Jain J.

Mr. Anil Upman, Counsel for accused-appellant
Ms. Nirmla Sharma, Public Prosecutor for State

Heard learned counsel for the accused-appellant as well as the learned Public Prosecutor for the State.

This is second application for suspension of sentence of the accused-appellant. The first application was dismissed as withdrawn on 24.10.2005.

The appeal was called for hearing on 28.03.2006, but no one was present on behalf of the accused-appellant to argue the appeal. It appears that the appellant is interested in getting the sentence suspended and he is not interested in arguing the appeal itself.

After considering all the facts and circumstances of the case, I am not inclined to allow this second application and the same is accordingly dismissed.

Accused-appellant is in judicial custody, therefore, the Office is directed to list the appeal itself for hearing on priority basis.

(Narendra Kumar Jain) J.